

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)	Case No. 20 B 11084
)	
SHEMEKE K. SLAUGHTER,)	Chapter 13
)	
Debtor.)	Hon. LaShonda A. Hunt

**NOTICE OF MOTION OF AMERICREDIT FINANCIAL SERVICES, INC.,
D/B/A GM FINANCIAL TO MODIFY AUTOMATIC STAY AND CO-DEBTOR STAY**

VIA ELECTRONIC NOTICE:

To: Glenn B. Stearns (Trustee)
801 Warrenville Road, Suite 650
Lisle, Illinois 60532

David M. Siegel, Esq. (Debtor's Counsel)
David M. Siegel & Associates
790 Chaddick Drive
Wheeling, Illinois 60090

VIA U.S. MAIL:

To: Shemeke K. Slaughter (Debtor)
403 West 35th Street, Apt. 213
Steger, Illinois 60475

Dawn Gowder (Co-Debtor)
17619 Stonebridge Drive
Hazel Crest, Illinois 60429

PLEASE TAKE NOTICE that on February 5, 2021 at 10:15 a.m., or as soon thereafter as counsel may be heard, I will appear before the Honorable LaShonda A. Hunt, or any judge sitting in his/her stead, and present the *Motion of AmeriCredit Financial Services, Inc., d/b/a GM Financial to Modify Automatic Stay and Co-Debtor Stay*, a copy of which is attached.

This motion will be presented and heard telephonically using AT&T Teleconference. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must call in to the hearing using the following information—Toll Free Number: 1-888-557-8511; Access Code: 7490911.

If you object to this Motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the Motion will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the Motion in advance without a hearing.

Respectfully submitted,

AMERICREDIT FINANCIAL SERVICES, INC.,
D/B/A GM FINANCIAL,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
Rocio Herrera (Ill. #6303516)
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312) 332-3535 / (312) 332-3545 (facsimile)

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the above-named persons by electronic filing or, as noted above, by placing same in a properly addressed and sealed envelope, postage prepaid, and depositing it in the United States Mail at 180 North LaSalle Street, Chicago, Illinois on January 18, 2021, before the hour of 5:00 p.m.

/s/ Cari A. Kauffman

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)	Case No. 20 B 11084
)	
SHEMEKE K. SLAUGHTER,)	Chapter 13
)	
Debtor.)	Hon. LaShonda A. Hunt

**MOTION OF AMERICREDIT FINANCIAL SERVICES, INC., D/B/A GM FINANCIAL
TO MODIFY AUTOMATIC STAY AND CO-DEBTOR STAY**

AMERICREDIT FINANCIAL SERVICES, INC., D/B/A GM FINANCIAL (“AmeriCredit”), a creditor herein, by its attorneys, the law firm of Sorman & Frankel, Ltd., respectfully requests this Court, pursuant to Sections 362 and 1301 of the Bankruptcy Code, 11 U.S.C. §§362, 1301 (West 2021), and such other Sections and Rules may apply, to enter an Order modifying the automatic stay and co-debtor stay provided therein. In support thereof, AmeriCredit states as follows:

1. On May 18, 2020, Shemeke K. Slaughter (“Debtor”) filed a Voluntary Petition for Relief under Chapter 13 of the Bankruptcy Code. On August 11, 2020, Debtor filed an Amended Chapter 13 Plan, which provides for direct payments from Debtor to AmeriCredit on AmeriCredit’s secured claim, and which was confirmed on August 21, 2020.

2. AmeriCredit is a creditor of the Debtor and another individual, Dawn Gowder (“Co-Debtor”), with respect to a certain indebtedness secured by a lien upon a 2018 Mitsubishi Outlander motor vehicle bearing a Vehicle Identification Number of JA4AZ3A39JZ006360 (the “Vehicle”). (See Ex. “A”).

3. As set forth in the Retail Installment Contract attached as Exhibit “A”, Debtor and Co-Debtor were required to tender equal monthly payments to AmeriCredit, each in the sum of \$488.21 with an interest rate of 13.00%. (See Ex. “A”).

4. Debtor and Co-Debtor have failed to make required payments to AmeriCredit due on and after September 28, 2020, resulting in a current default of \$1,940.26; the next payment of \$488.21 comes due on January 28, 2021.

5. The current total outstanding balance due to AmeriCredit from the Debtor and Co-Debtor for the Vehicle is \$20,072.97.

6. Debtor and Co-Debtor have failed to provide AmeriCredit or its counsel with proof of a valid full coverage insurance policy for the Vehicle identifying AmeriCredit as the lienholder/loss payee.

7. As such, AmeriCredit seeks relief from the automatic stay and co-debtor stay so that AmeriCredit may take possession of and sell the Vehicle and apply the sale proceeds to the balance due from Debtor and Co-Debtor.

8. Debtor has not offered, and AmeriCredit is not receiving, adequate protection for its secured interest or depreciating value. Further, Debtor has no equity in the Vehicle and the Vehicle is not necessary to an effective reorganization by Debtor.

9. AmeriCredit will suffer irreparable injury, harm, and damage should it be delayed in taking possession of and foreclosing its security interest in the Vehicle.

10. AmeriCredit requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, AmeriCredit Financial Services, Inc., d/b/a GM Financial respectfully requests that this Court enter an Order, as attached hereto, modifying the automatic stay and co-debtor stay provided by Sections 362 and 1301 of the Bankruptcy Code to permit AmeriCredit to take immediate possession of and foreclose its security interest in the 2018 Mitsubishi Outlander motor vehicle bearing a Vehicle Identification Number of JA4AZ3A39JZ006360; and, for such other, further, and different relief as this Court deems just and proper.

Respectfully submitted,

AMERICREDIT FINANCIAL SERVICES, INC.,
D/B/A GM FINANCIAL,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
Rocio Herrera (Ill. #6303516)
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312) 332-3535 / (312) 332-3545 (facsimile)